

neither of the theories set up in said paragraph represents a proper construction of the Will of John Loats, deceased, but that the proper construction is that the plaintiff was the owner of said properties as long as it carried out the terms of the trust created by the Will of the testator, subject to being divested upon its failure to do as the Will provided. Furthermore, your Respondents say that the Will of John Loats, deceased, was a valid Will and that the plaintiff took title to the property under a valid Executory Devise and held the same in trust so long as the Will of the Testator was fully carried out but that upon the termination of the operation of the orphanage and the closing of the same the trust thereupon ceased and the title of the plaintiff was divested so that the same was from that time and is now in your Respondents and the other heirs at law of John Loats, deceased.

8. That your Respondents deny the allegations contained in the tenth paragraph of said Bill and furthering answering the same, say that the title to said properties now vest in them and the other heirs at law of said testator.

9. Answering the eleventh paragraph of said Bill, your Respondents admit the matters and facts therein alleged.

Having fully answered said Bill of Complaint, your Respondents pray that they may be hence dismissed with their reasonable costs in this behalf incurred.

AND, as in duty bound, etc.

Bertie Loats Hobbs
Bertie Hobbs

Evelyn Sterner Pearce
Evelyn Sterner Pearce

Ethel V. Kelly
Ethel V. Kelly

Herbert C. Loats
Herbert C. Loats

Lydia S. Davis
Lydia S. Davis

Susie Byrne
Susie Byrne

Lottie S. McCartin
Lottie S. McCartin

Harry A. Loats
HARRY A. Loats

Sadie Schafer
Sadie Schafer

Margaret Stabler
Margaret Stabler

Frederick W. Sterner
Frederick W. Sterner

Leroy F. Sterner
Leroy F. Sterner

Beatrice S. Huber
Beatrice S. Huber

George E. Sterner
George E. Sterner

Edw. W. Preston

Edw. W. Preston,
Solicitor for Respondents